

Notice of Allowability**Application No.**

10/565,193

Applicant(s)GOLITSCHKE EDLER VON
ELBWART ET AL.**Examiner**

SAM RIZK

Art Unit

2112

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/3/2010.
2. ☒ The allowed claim(s) is/are 1-10, 12-22 and 25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>Attached</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>11/18/2009</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Sam Rizk/
Primary Examiner, Art Unit 2112

DETAILED ACTION

- Response to the applicant's RCE dated 12/22/2009 and amendment dated 2/3/2010
- Claims 11, 23 and 24 have been Cancelled
- Claims 1-10, 12-22 and 25 have been submitted for examination
- Claims 1-10, 12-22 and 25 have been allowed

Response to Arguments

1. Applicant's arguments and amendment filed on 2/3/2010, with respect to independent claims 1 and 25 have been fully considered and are persuasive. The rejections of claims 1 and 25 under section 35 USC 102(b) have been withdrawn.

Allowable Subject Matter

2. Claims 1-10, 12-22 and 25 are allowed.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

3. The independent claims 1 and 25 of the present application teach for example (as per claim 1):

A method of encoding an information bit sequence forming a code block in a communication device of a communication system, the method comprising the

steps of:

distributing the bits of the information bit sequence forming a code block having a length k bits into a plurality of n subsets of information bits, each subset forming a code block segment having a length $k_1 \dots k_n$ bits respectively;

varying the length of at least one code block segment by supplementing the code block segment with information bits by partial repetition of the information bit sequence which have also been distributed to at least one different code block segment to obtain at least two code block segments of different lengths, such that the sum of the lengths $k_1 \dots k_n$ of the code block segments is larger than the code block length k ; and

encoding the code block segments and the at least one supplemented code block segment individually using at least one encoding method.

The foregoing limitations are not found in the prior art of record. Particularly, none of the prior arts of record teach nor fairly suggest the emphasized limitation as cited in the independent claim 1 that comprises:

A method of encoding an information bit sequence forming a code block in a communication device of a communication system, the method comprising the steps of:

distributing the bits of the information bit sequence forming a code block having a length k bits into a plurality of n subsets of information bits, each subset forming

a code block segment having a length k_1 k_n bits respectively;
varying the length of at least one code block segment by supplementing
the code block segment with information bits by partial repetition of the
information bit sequence which have also been distributed to at least one
different code block segment to obtain at least two code block segments of
different lengths, such that the sum of the lengths k_1 k_n of the code
block segments is larger than the code block length k ; and
encoding the code block segments and the at least one supplemented code
block segment individually using at least one encoding method.

4. Claims 2-10 and 12-22 depend from claim 1.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

/Sam Rizk/

Primary Examiner, Art Unit 2112